

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROCEP LUSOL HOLDINGS LIMITED,)
)
Plaintiff/Counterclaim Defendant,)
)
v.) Civil Action No. 05-141-KAJ
)
PERMATEX, INC., and ULTRAMOTIVE)
CORPORATION,)
)
Defendants/Counterclaimants.)

ORDER

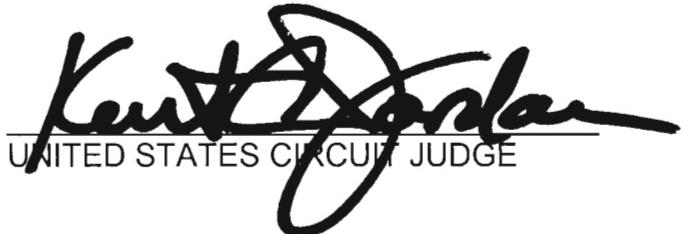
For the reasons set forth in the Memorandum Opinion issued in this matter today,

IT IS HEREBY ORDERED that, for purposes of ruling on the Motion for Summary Judgment that U.S. Patent No. 6,685,064 (issued Feb. 3, 2004) (the “064 patent”) is Invalid (Docket Item [“D.I.”] 51) filed by Permatex, Inc. and Ultramotive Corp. (collectively, “Defendants”), the disputed claim term “tilt valve” is construed to mean the same thing in the ‘064 patent and in the International Application published under the Patent Cooperation Treaty, Publication No. WO 99/18010, and covers “a valve that can operate at least by tilting.”

IT IS FURTHER ORDERED that Defendants’ Motion for Summary Judgment that the ‘064 patent is Invalid (D.I. 51) is GRANTED.

IT IS FURTHER ORDERED that the Motion for Summary Judgment of Non-Infringement (D.I. 48) filed by Defendants, the Motion for Summary Judgment of

Infringement (D.I. 55) filed by Rocep Lusol Holdings Ltd. ("Rocep"), and the Motion to Adopt Plaintiff's Proposed Claim Construction (D.I. 57) filed by Rocep are DENIED as moot.



Kent A. Jordan
UNITED STATES CIRCUIT JUDGE

Wilmington, Delaware
January 19, 2006